

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

RAYMOND DAVIS,

Case No.: 2:20-cv-01696-APG-EJY

**Plaintiff**

## **Order Accepting Report and Recommendation and Dismissing Case**

V.

JACQUELINE BLUTH and ADAM GILL,

## Defendant

[ECF No. 11]

On May 4, 2021, Magistrate Judge Youchah recommended that I dismiss plaintiff

10 Raymond Davis's amended complaint with prejudice because he failed to timely file a second  
11 amended complaint. Davis did not file an objection. Thus, I am not obligated to conduct a de  
12 novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts  
13 to "make a de novo determination of those portions of the report or specified proposed findings  
14 to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)  
15 (en banc) ("the district judge must review the magistrate judge's findings and recommendations  
16 de novo if objection is made, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Judge Youchah's report and recommendation (ECF No.

18 **11) is accepted.** Plaintiff Raymond Davis's amended complaint (ECF No. 4-1) is DISMISSED  
19 with prejudice. The clerk of court is instructed to enter judgment accordingly and to close this  
20 case.

DATED this 28th day of May, 2021.

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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE